

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.18557 of 2003

DATED: 25.07.2007

Between:

Mohammed Jawahar Ali

.. Petitioner

And

The Commissioner,
Kakinada Municipality,
Kakinada, E.G. District.

.. Respondent

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.18557 of 2003

ORDER:

-

This writ petition is filed seeking a writ of mandamus declaring the action of the respondent and his subordinate in not finalizing the petitioner's pending bills and also not paying the amounts claimed by him towards his professional fee as Standing Counsel for respondent Municipality from February, 1991 to July, 2001, as illegal and arbitrary, and consequently direct the respondent to finalise and pay the bills to him forthwith.

The petitioner's grievance is that he was practicing as an Advocate in Kakinada and was appointed as a Standing Counsel for Kakinada Municipality and worked as such for the period from February, 1991 to July, 2001. Despite the fact that he rendered services, his bills with regard to his professional charges were not settled and accordingly, after appointment of a new Standing Counsel, he addressed a letter on 09.06.2001 requesting the respondent Commissioner to take urgent steps to settle his bills. Though a memo was issued by the Commissioner on 09.07.2002 and also on 18.01.2003 directing the concerned clerks of the Municipality to initiate necessary action to settle the bills of the petitioner, the petitioner was not paid the bills and hence, he approached this Court and filed the present writ petition.

Having heard the learned counsel for the petitioner and

Sri S.Nageshwar Reddy, learned counsel for the respondent, and also on a perusal of the representation given by the petitioner on 09.06.2001 and also memo issued by the Collector on 09.07.2002 and 18.01.2003, it is clear that the petitioner was appointed as a Standing Counsel and his bills are not settled. Accordingly, the respondent Municipality is directed to settle the bills of the petitioner for the period from February, 1991 to July, 2001, during which, he rendered his services as the respondent's Standing Counsel. However, if any amounts are already paid, the same shall be given credit to. The said exercise shall be done within a period of four weeks from the date of receipt of a copy of this order.

Subject to the above directions, the writ petition is disposed of.
No order as to costs.

(GOPALA KRISHNA TAMADA,J)

Dt.25.07.2007
v v